

United States District Court
for the
Southern District of New York

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: **05/18/2022**

WILMINGTON SAVINGS FUND)
SOCIETY, FSB, AS TRUSTEE OF)
UPLAND MORTGAGE LOAN TRUST A)

Plaintiff)
v.)

EDWIN A. WACHSLER, ELLEN E.)
WACHSLER)

Defendant(s))

Civil Action No. 19-cv-02409

**ORDER VOLUNTARILY DISMISSING
CLAIM WITHOUT PREJUDICE &
CANCELLING THE NOTICE OF
PENDENCY OF ACTION**

Before the Court is a motion to voluntarily dismiss the Complaint without prejudice pursuant to Fed. R. Civ. P. §41(a)(2) and cancel the Notice of Pendency of Action that was filed in the Rockland County Clerk's Office and United States District Court for the Southern District of New York, pursuant to N.Y. C.P.L.R. §6514. The Plaintiff commenced the action when it filed the Summons and Complaint on March 18, 2019, copies of which were served on the Defendants. On these grounds, it is hereby:

ORDERED, ADJUDGED AND DECREED, the Plaintiff's motion is granted; and it is further

ORDERED, ADJUDGED AND DECREED, the Plaintiff's claim is voluntarily dismissed without prejudice pursuant to Fed. R. Civ. P. §41(a)(2); and it is further

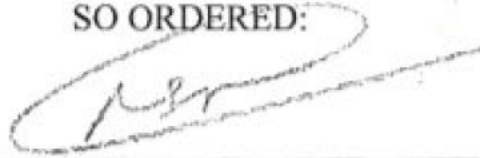
ORDERED, ADJUDGED, AND DECREED, that pursuant to N.Y. C.P.L.R. § 6514(a), the County Clerk of Rockland County is directed, upon payment of proper fees, if any, to cancel and discharge a certain Notice of Pendency filed in this action on the March 22, 2019 and in the Office of the Clerk of the United State District Court for the Southern District of New York, and

any other filing against the property known as 8 Bedford Court, Spring Valley, NY 10977, and said Clerk is directed to enter upon the margin of the record of the same a Notice of Cancellation referring to this Order.

The Clerk of the Court is directed to terminate this action and to close the case.

Dated: May 18, 2022
White Plains, NY

SO ORDERED:

A handwritten signature in dark ink, appearing to read 'Nelson S. Román', is written over a horizontal line.

NELSON S. ROMÁN
United States District Judge